

## Article - General Provisions

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§8–106.

(a) No court in this State shall have jurisdiction over an action filed under § 8–104 of this title against any member of the Legislative Branch or the Judiciary of the State, any member of the Governor’s Executive Council, the Attorney General, the Comptroller, or the State Treasurer if the action is based on evidence or information known to the governmental entity when the action was filed.

(b) A civil action may not be brought under this title by a person who is or was a public employee or public official if the allegations of the action are based substantially on:

(1) allegations of wrongdoing or misconduct that the person had a duty or an obligation to report or investigate within the scope of the person’s public employment or office; or

(2) information or records to which the person had access as a result of the person’s public employment or office.

(c) A person may not bring an action under § 8–104 of this title that is based on allegations or transactions that are the subject of a civil action or an administrative civil money penalty proceeding in which the governmental entity is already a party.

(d) (1) Except as provided in paragraphs (2) and (3) of this subsection, no court in this State shall have jurisdiction over an action filed under § 8–104 of this title that is based on the public disclosure of allegations or transactions:

(i) in a criminal, a civil, or an administrative hearing;

(ii) in a legislative or an administrative report, a hearing, an audit, or an investigation; or

(iii) from the news media.

(2) Paragraph (1) of this subsection does not apply if the action is initiated by a person that:

(i) has direct and independent knowledge of the information on which the allegations are based; and

(ii) has voluntarily provided the information to the governmental entity before filing an action under § 8–104 of this title that is based on the information.

(3) A governmental entity, through the Attorney General, may file a civil action under § 8–103 of this title based on a public disclosure described in paragraph (1) of this subsection.

(e) The governmental entity is not liable for expenses that a person incurs in bringing an action under § 8–104 of this title.

(f) A person that is or was employed by the State, a local government, or any other political subdivision of the State as an auditor, an investigator, an attorney, a financial officer, or a contracting officer may not bring an action under § 8–104 of this title that is based on allegations or transactions that the person discovered or learned of while acting in the person's capacity as an auditor, an investigator, an attorney, a financial officer, or a contracting officer for the State, local government, or other political subdivision of the State.

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